IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 14524 of 1996

Between:

1 Gonaboyina Reddemma son of late Venkata Raju
R/o. Raghunadhapuram village, Rajanagaram Mandal, East Godavari District.
2 Gonaboyina Annavaram son of late Venkata Raju
R/o. Raghunadhapuram village, Rajanagaram Mandal, East Godavari District.
3 Gonaboyina Suri Babu son of late Venkata Raju
R/o. Raghunadhapuram village, Rajanagaram Mandal, East Godavari District.
4 Gonaboyina Sreenu son of late Venkata Raju
R/o. Raghunadhapuram village, Rajanagaram Mandal, East Godavari District.
5 Gonaboyina Nageswara Rao son of late Venkata Raju
R/o. Raghunadhapuram village, Rajanagaram Mandal, East Godavari District.

..... PETITIONERS

AND

1 The District Collector,
East Godavari District at Kakinada.
2 The Revenue Divisional Officer and Land Acquisition Officer,
Rajahmundry, East Godavari District.
3 The Mandal Revenue Officer,
Rajanagaram Mandal, East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in not paying the compensation to the petitioners in pursuance of the award No. 10/83, passed by the 2nd respondent, dated 31.12.1983 as illegal, arbitrary and contrary to the provisions of the Land Acquisition Act, or alternatively restore the land of the petitioners in an extent of 0.45 cents situated in R.S.No.924/2 in Raghunadhapuram village of Rajanagaram Mandal of East Godavari District, and consequently direct the respondents to pay the compensation to the petitioners herein in pursuance of the award No. 10/83, dated 31.12.1983 passed by the 2nd respondent with interest at the rate of 18% per annum and means profits, with effect from 31.12.1983 till the date of realization of the amount.

Counsel for the Petitioners: MR.K.VENKATESH
Counsel for the Respondents: GP FOR LAND ACQUISITION

The Court made the following :

THE HONOURABLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO.14524 OF 1996

ORDER:

This writ petition is filed seeking a writ of mandamus to declare the action of the respondent in not paying the compensation to the petitioners for their land acquired under the provisions of the Land Acquisition Act and which was subject matter of award No.10 of 1983 on the file of the second respondent-Land Acquisition Officer,Rajamundry.

As stated in the affidavit filed in support of the writ petition, it is the case of the petitioners that the land admeasuring Ac.0.45 cents of R.S.No.924/2 situated in Raghunadhapuram village, H/o Palacherla village of East Godavari district, was acquired by the respondents. Though the award is passed determining the compensation at Rs.4,140/- by the Land Acquisition Officer, the compensation is not paid to them.

Though the writ petition is of 1996, counter affidavit is not filed on behalf of the respondents. But the learned Government Pleader placed a letter dated 30.9.1996 in Ref.SWLA.4037/81 addressed by the second respondent wherein it is clearly stated that subsequent to filing of the writ petition, on production of legal heir certificate by the petitioners, the compensation was paid and a reference was also made under Section 18 of the Land Acquisition Act as sought by the petitioners.

In view of the subsequent developments and as stated in the letter dated 30.9.1996, the petitioners were already paid compensation, no further direction is to be given at this stage, as sought for.

The writ petition is accordingly closed.

15.12.2004.

mdaa.

Copy to:

1 The District Collector,
East Godavari District at Kakinada.
2 The Revenue Divisional Officer and Land Acquisition Officer,
Rajahmundry, East Godavari District.
3 The Mandal Revenue Officer,
Rajanagaram Mandal, East Godavari District.

4. Two C.Cs to G.P.for Land Acquisition, High Court of A.P., Hyderabad.

5. two C.D.copies.